

JUL 31 2008

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOYCE SIREGAR,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney  
General,

Respondent.

No. 05-70958

Agency No. A79-520-613

MEMORANDUM<sup>\*</sup>

On Petition for Review of an Order of the  
Board of Immigration Appeals

Submitted July 22, 2008<sup>\*\*</sup>

Before: B. FLETCHER, THOMAS, and WARDLAW, Circuit Judges.

Joyce Siregar, a native and citizen of Indonesia, petitions for review of the Board of Immigration Appeals' ("BIA") order dismissing her appeal from an immigration judge's decision denying her application for withholding of removal.

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Our jurisdiction is governed by 8 U.S.C. § 1252. We review for substantial evidence the agency's denial of withholding of removal, *Hakeem v. INS*, 273 F.3d 812, 816 (9th Cir. 2001). We deny in part and dismiss in part the petition for review.

Substantial evidence supports the agency's denial of withholding of removal because Siregar has not demonstrated that it is more likely than not that she will be persecuted if removed to Indonesia. *See Hoxha v. Ashcroft*, 319 F.3d 1179, 1184 - 85 (9th Cir. 2003).

To the extent Siregar contends she is eligible for withholding of removal because she and her children would be especially exposed to the threat of violence due to her children's needs, we lack jurisdiction to review this contention because she failed to raise this to the BIA. *See Barron v. Ashcroft*, 358 F.3d 674, 678 (9th Cir. 2004).

To the extent Siregar challenges the agency's discretionary determination that she failed to show exceptional and extremely unusual hardship to her children, we lack jurisdiction to review this determination. *See Martinez-Rosas v. Gonzales*, 424 F.3d 926, 929-30 (9th Cir. 2005).

**PETITION FOR REVIEW DENIED in part; DISMISSED in part.**